

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LUMINATI NETWORKS LTD.

Plaintiff,

v.

TESO LT, UAB; OXYSALES, UAB;  
METACLUSTER LT, UAB;

Defendants.

Case No. 2:19-cv-395-JRG

LEAD CASE

FILED UNDER SEAL

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LUMINATI NETWORKS LTD.

Plaintiff,

v.

BI SCIENCE (2009) LTD.,  
Defendant.

Case No. 2:19-CV-00397-JRG

JURY TRIAL DEMANDED

**OPPOSED MOTION FOR DISMISSAL**

Pursuant to the Settlement Agreement (Ex. A) entered between Plaintiff Luminati Networks Ltd. (“Plaintiff”) and Defendant BI Science (2009) Ltd., also known as BI Science Inc. (“BI Science”) (Plaintiff and Defendants collectively, the “Parties”), and the April 28, 2020 Arbitration Award (Ex. B), the Parties were to [REDACTED]. See Ex. A at ¶ 3; Ex. B at 5. As addressed in the Motion to Dismiss (Dkt. 33), Defendant breached the Settlement Agreement when it [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED], Luminati requests dismissal of Defendants’ claims with prejudice and Luminati’s claims without prejudice. Luminati also respectfully requests its attorneys’ fees and all other relief the Court deems appropriate as will be requested in a motion to be filed concurrently in Luminati Networks Ltd. v. BI Science Inc., Case No. 2:18-cv-483.

Dated: May 1, 2020

Respectfully submitted,

By: /s/ Korula T. Cherian  
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**CERTIFICATE OF SERVICE**

I hereby certify that the all counsel of record who are deemed to have consented to electronic service are being served this 1st day of May, 2020, with a copy of this document via electronic mail.

/s/ Korula T. Cherian

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that the counsels for the parties have complied with Local Rule CV-7(h). Counsel participating on the May 1, 2020 meet and confer included: Robert Harkins, Ron Wielkopolski, Mark Mann and Calvin Capshaw on behalf of Plaintiff; Eric Findlay and Debby Gunter on behalf of Defendant. This motion is opposed.

/s/ Korula T. Cherian

**CERTIFICATE OF AUTHORIZATION TO FILE UNDER SEAL**

The undersigned certifies that the foregoing documents are being filed under seal pursuant to Local Patent Rule 2-2.

/s/ Korula T. Cherian